

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

EDWIN ANTHONY RAMOS-  
RAMIREZ,  
Plaintiff,

v.

BERWICK BOROUGH, KENNETH  
STRICH, REAGAN RAFFERTY, and  
RANDY GAUGER,

Defendants.

No. 4:17-CV-01442  
(Chief Judge Brann)

**ORDER**

**MARCH 29, 2022**

In accordance with the accompanying Memorandum Opinion, **IT IS**  
**HEREBY ORDERED** that the Defendants' Motion for Summary Judgment (Doc.  
51) is **DENIED**:

1. Counts I (*Morell* claims against Defendants Berwick Borough and Kenneth Strish) and II (excessive force under 42 U.S.C. § 1983 against Defendant Reagan Rafferty) survive summary judgment.
2. Consistent with this Court's May 22, 2019 Memorandum Opinion and Order (Doc. 39; Doc. 40), Counts III (civil rights conspiracy against Defendants Strish, Rafferty, and Randy Gauger) and IV (state law tort claims against Defendant Rafferty) are dismissed.

3. A telephonic status conference will be scheduled by separate Order.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann  
Chief United States District Judge